

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mark G. Erlander, et al.

Application No.: 10/773,761

Filed: February 6, 2004

For: PREDICTING BREAST CANCER  
TREATMENT OUTCOME

Customer No.: 70680

Confirmation No. 5596

Examiner: Bertagna, A.M.

Technology Center/Art Unit: 1636

SECOND AMENDMENT UNDER 37  
C.F.R. § 1.115

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As a supplement to the response filed June 17, 2008 and the Claim Listing filed December 20, 2008, Applicants provide the following revisions to the Listing as previously filed on December 20, 2008. More specifically, a review of that Listing revealed an inadvertent duplication of Claims 10-13. The Listing below corrects the error by removing the duplication.

The Listing below also retains all markings from the December 20, 2008 Listing to clearly demonstrate changes made relative to the claims on September 20, 2007. The following Listing may be considered to supercede the Listing of December 20, 2008.

Entry of the following is respectfully requested. No fees are believed due with this submission.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 11 of this paper.